

My name is Senior Airman Thomas Moore, and I have been serving in the United States Air Force for nearly five years. I love the military, and appreciate what it has done for me and my family over the years, and more than intend to spend the rest of my adult life in it if possible. I enjoy my freedoms of speech, religion, the right to bear arms, and the freedom of press only because of people who have served in the military before me that guaranteed those rights to me.

Because of the efforts of the military and other peoples to guarantee me these freedoms, I find it appalling that anyone, anywhere, would attempt to impose upon XM restrictions which violate those freedoms that I take for granted. Any effort to attempt to stop XM from broadcasting any information, especially since its customers must subscribe to its service, is not only a violation of my personal freedoms, it is a violation of everyone's personal freedoms. It is not only unconstitutional to prevent the broadcast of any information over XM, it is immoral to even suggest that they change their programming to suit those who seek to profit from its loss, and not only profit from it, but also cause that loss. It is not only an infringement on my personal rights as an American, it is illegal to attempt to damage another company and profit from it.

The attempted injunction of broadcasting local information and weather is Rediculous. XM is trying to provide better service to its consumers, not directly attack on local broadcasteters. The attempt by the National Association of Broadcasters to limit XM's constitutionally guaranteed First Amendment rights is not only ludicrous, bust MUST be rejected if only because our lawmakers are using common sense. What would happen if this injuction, this defacement, this violation, of our First Amendment rights is made into law? It would unleash a torrent of violations, perpetuated specifically by the NAB, and those with more money than they know what to do with, all of which would lead to the restrictions of rights we are guaranteed specifically because we are Americans. It's not simply because it is our right as Americans that we have these rights, it is because there have been many men and women that have fought and died under the American flag to ensure that we have these rig!

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The NAB's petition, #04-160, is ludicrous in idea, restrictive in nature, and asinine in substance. The FCC must deny this petition, if only out of common sense. XM is a service that its customers must pay for. The programming that is on it is provided at the request of its customers. XM is similar, if not identical, in concept to cable television. You could no more change the programming on cable TV than you should be able to do so to XM Satellite Radio. Using that as an examply, why would the FCC grant this petition? It would not only violate XM's rights as a broadcaster, it would violate my rights as an American. No government agency has any right to infringe upon my rights, and I appeal to common sense and morality to have this petition denied.

It is a slap in the face to lawmen, voluntarily enlisted military members, and countless others who have fought for their rights to allow the NAB to prohibit XM's rights to broadcast anything that its customers want to hear.